

THEIR SILENCE DEMANDS WE SPEAK

by SUSAN M. SAVELL

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DATE 08-22-2008 BY 60322 uc/lp/stp/fls

Not many of us have ever had to make the difficult decision to disobey a law and go to prison for principles we believe in deeply. But throughout the 1960's we experienced this painful struggle of conscience as we watched others—our sons, our brothers, our daughters, or our sisters—make decisions about their resistance to the Vietnam War. Since April 1975 I have come to know personally two of the three young women in our country faced with the awesome responsibility of making a similar choice.

A group of churchwomen, representing nine denominational or ecumenical agencies, gathered in New York City on April 15 to discuss reports about investigative visits to some members of the women's movement by the Federal Bureau of Investigation and other law-enforcement agencies. These visits initially frightened and confused many women in cities across the country who had never had any previous encounters with federal agents, and who certainly had not been involved in any illegal activity.

In Cincinnati, Ohio, for example, Ms. Margie Robertson, a member of the National Organization for Women, was visited by Mary Elizabeth Denn, an FBI agent. Ms. Denn was ostensibly investigating the whereabouts of two women who have been on the FBI's "10 most wanted" list for four years—Katherine Ann Power and Susan Saxe (reportedly seen in the area either last August or during the

week of January 24, 1975). But after Ms. Robertson looked at pictures of these two fugitives and could not identify them, the agent continued to ask her questions about women in NOW and other feminist groups in Cincinnati. She particularly wanted to know the names of women's groups, the names and phone numbers of the "most radical" women belonging to these groups, and information about any "large rallies" or other feminist activities in the city. Ms. Robertson, who at the time was nursing a sick baby, said to *Cincinnati Post* reporter Lew Moeres: "I was tied up in knots. She stayed for about 45 minutes."

Our ad hoc Committee of Concern (as we decided to call it) heard this report on April 15 from Ms. Arlie Scott, a member of NOW's National Board of Directors. She reported that similar FBI visits had been made to women in Lexington, Ky., Philadelphia, Pa., Boston, Mass. and New Haven and Hartford, Conn.

Ms. Peggy Billings, assistant general secretary of the United Methodist Women's Division Section of Christian Social Relations, and chairperson of our committee, then began inquiries by phone to discern whether or not churchwomen had been affected by these FBI probes. She found that even the Prudence Crandall Center for Women, a center funded in part by the United Church of Christ and staffed by Davida Foy Crabtree, an ordained UCC minister, had been visited by agents who asked: "Who has access to your phones?"

As our Committee discussed the situation, we realized that at first, many of these questions may seem harmless. Why not

give out names and phone numbers of friends and acquaintances to FBI agents? And yet, as we explored the patterns of the visitations more closely, we came to the conclusion that the request for and use by the FBI of personal information about women who are friends, colleagues, and members of consciousness-raising groups and churches could be destructive.

For the Women's Movement has largely been built upon the sort of confidentiality that emerges from working together on social issues, from sharing personal life-stories in small groups, and from learning to be with other women as trusted companions—in a real sense, as new sisters. Any invasion of this confidentiality, therefore, can be divisive because it creates a spirit of suspicion (who gave the FBI my name and what did she tell them about me?) rather than a spirit of trust (I know she will protect my privacy).

These were the kinds of worries our Committee of Concern shared as we explored the extent, patterns, and implications of the FBI interrogations. It was not long before we discovered our worst fears about the implications were real: 7 women and 1 man in Lexington, Ky., and New Haven, Conn., had been imprisoned as a result of the FBI activity, and their families and communities of trust were consequently splintered, harassed and confused. Wanting to learn all of the facts of the matter we asked Kristin Glen, one of the attorneys for the two women imprisoned in Connecticut, to tell our Committee what had happened to her clients.

Around January 1975 at least 20 FBI agents began questioning members of women's groups

Ms. Savell is consultant to the Commission on Women in Ministry for professional church leadership in the National Council of Churches.

RESPONSE

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Board of Global Ministries of The United

Methodist Church, 7820 Reading Road, Cincinnati, Ohio 45237

response

P2

in Connecticut—including Ms. Glen's clients, Ellen Grusse, 28, a computer technician, and Terry Turgeon, 31, a department store clerk. Again, they were ostensibly looking for Katherine Ann Power and Susan Saxe, because they said they had information that the fugitives had lived for a while in the state *under the aliases* of Lena Paley and May Kelley. It is important to remember here that even if some women in Ohio or Kentucky or Connecticut *did* know these women, those who have testified before grand juries have claimed that, under oath, they said they did *not* know that Lena Paley and May Kelley were fugitives being sought by the FBI.

There were women like Ellen Grusse and Terry Turgeon, on the other hand, who chose to exercise their legal right not to speak with the FBI agents about themselves or any of their friends. Not because they had anything more to hide than those women who did speak with the FBI or testify before grand juries. But simply because when the FBI agents approached them, the word had already spread through their communities about the interrogations in their city, and they chose as individuals and as a group to protect their own privacy and the privacy of their friends. They chose to remain silent.

FBI agents cannot legally force any person to answer their questions. Time after time, the Federal Bureau of Investigation has gone to Congress and requested that they be granted the power of subpoena, so that it would be illegal not to answer the questions of an agent. But, every time, Congress has refused the Bureau this power in order to protect the citizen, to curb the power of the Executive branch of government (the FBI is under its jurisdiction), to reserve subpoena power for the courts, and thereby protect the proper balance of power between the

Executive and Judicial branches of government. The courts then, should ideally protect the citizen from any coercive treatment from law enforcement officials.

In the case of Ms. Grusse and Ms. Turgeon, however, the FBI agents insisted that their questions be answered. On January 24, 1975, they were told by the agents, in what amounted to a threat, that if they did not talk they would be subpoenaed to appear before a grand jury to answer the same questions. Within three days, Ms. Grusse and Ms. Turgeon were subpoenaed to appear before the grand jury, and were required to bring with them every bit of evidence about their lives and associations—including all personal letters received in the last year, as well as names and addresses of all of their friends and acquaintances.

It is important to point out here that it has never been the proper or legal function of a grand jury to do police work for the FBI or any other law enforcement agency. The only investigative function legally allowed a grand jury is that of investigating a specific crime committed within its own jurisdiction for the sole purpose of making a decision about whether or not to indict someone for that crime. It was not a proper function of the New Haven grand jury, therefore, to use its subpoena power to investigate *for the FBI* the whereabouts of fugitives already indicted for a crime allegedly committed in Boston, outside of its own jurisdiction. When Attorney Glen asked for what purpose her clients had been subpoenaed to appear before the grand jury, the foreman of the jury originally responded: "We're investigating a crime committed in Boston." This statement led all of the attorneys for the witnesses to conclude that this particular grand jury had, indeed, clearly crossed the legal and proper lines separating the police functions of the FBI from its own proper investigative func-

tion.

Disturbed by this evidence of collusion between the FBI and prosecuting attorney, Ms. Grusse and Ms. Turgeon appeared before the grand jury on January 28 and refused to answer any questions or disclose any information. As a result FBI agents began to visit the homes of their relatives and friends. We learned from one of Ms. Turgeon's sisters, in her sworn affidavit, that on January 30 an agent visited her at the home of her parents and revealed to her intimate details of her sister's sexual life and preferences that she had not known before and had no interest in knowing. She said of this visit: "After he revealed this detail of my sister's personal life, he said that his visit to me would not have been necessary if my sister had cooperated with him."

This interrogation was intended, it seems, to embarrass Ms. Turgeon to the point where she would talk with the agents and the grand jury rather than have them continue to so harass her relatives. Neither she nor her family succumbed to such coercion, however. Several members of our Committee of Concern met her parents in the federal courtroom in New Haven during the most recent grand jury proceedings, and we discovered that they continue to support their daughter. At one point in the proceedings, Mr. Turgeon looked at me, shook his head, and said: "This is terrible, just terrible."

Ms. Grusse and Ms. Turgeon appeared before the grand jury another two times before their open hearings on a civil contempt charge began. During these proceedings, they discovered that their personal, civil and legal rights were not protected by the court because of the way in which the grand jury process legally works. No counsel was allowed in the grand jury room, so they could receive no legal

(Continued on page 41)

THEIR SILENCE DEMANDS WE SPEAK

(Continued from page 25)

advice about their testimony without leaving the court room to talk to their attorneys. Questions of a deeply personal nature that would not be permissible in a regular court of law were admissible before a grand jury. And all of the evidence presented by the prosecuting attorney to the judge in a grand jury proceeding is held in secret. Neither Ms. Grusse, Ms. Turgeon or their lawyers had access to the so-called evidence presented in secret affidavits by the FBI.

On February 13, Ms. Grusse and Ms. Turgeon again chose to remain silent, and were consequently granted use-immunity. Under the provision of the Organized Crime Control Act of 1970 which for the first time allowed use-immunity to be granted, the witness is *compelled to give up her right to the Fifth Amendment* in return for the assurance that her testimony cannot be used to prosecute her for a crime. Use-immunity, however, does not guarantee that she will not be indicted on the basis of someone else's testimony (whose name and address and phone number she was forced to reveal). Nor does it prevent her own testimony from being used as a basis for indicting someone else, or from being used to interrogate the witness's friends, family and acquaintances. Yet, the most disturbing discovery that Ms. Grusse and Ms. Turgeon made about use-immunity was that they could not legally refuse it. They either had to accept it or be cited for contempt and jailed.

On March 5, 1975, they went to jail. Judge Jon O. Newman had held them in civil contempt and sentenced them to prison for the rest of the grand jury's life.

Judge Newman could have held them in criminal contempt, which would have granted them the due process promised to every citizen: a trial by jury be-

fore being inflicted with imprisonment if found guilty. But for a civil contempt charge, no trial is necessary. In fact, a person can be sentenced to prison for the 18-month life of one grand jury, released, re-subpoenaed to appear before a new grand jury, held in civil contempt again, and then re-sentenced to prison for the 18-month life of the new grand jury—all without ever having been charged with or indicted for any crime!

All of this happened, in fact, to Ellen Grusse and Terry Turgeon. On April 1, the day they were released from Niantic Women's prison in Connecticut, they were met at the prison gates by the Federal marshal who re-subpoenaed them to appear before a new grand jury on May 6. And on June 6, 1975, they were re-sentenced by Judge Newman to an additional 17 months in prison.

On the day Judge Newman was to decide upon their sentence, the National Council of Churches filed an Amicus (Friend of the Court) Brief on behalf of Ellen Grusse and Terry Turgeon. The Brief requested they not be sentenced to any further imprisonment, saying: "There is every indication that these women are sincere people . . . citizens who maintain deeply held feelings that the right to privacy, to confidentiality in human relationships, is a sacred right. . . .

"At the same time, their beliefs are no physical match for the power of the government to punish their failure to testify. This Court has the physical power to say: 'You will be put in jail and kept there until you talk.' In such a situation, the greater the witness's moral commitment to silence, to confidentiality in human relations, the greater the possibility of perpetual incarceration. . . . It is resoundingly offensive to the generally accepted sense of fairness of our society that a person who has committed no criminal act, has not been convicted by a jury

of her peers, nor even charged with any crime, can because of moral commitment be placed in jail and returned to jail by means of successive grand juries."

These arguments had no legal effect. Yet they expressed clearly the convictions of members of the Committee of Concern. For in the course of our own visits to the four open hearings on the civil contempt charge, we grew to respect Ms. Grusse and Ms. Turgeon for taking a principled stand over-against what they call the "unprincipled tactics" of the FBI agents and the unconstitutional dimensions of many of the grand jury laws. We grew to understand that these two women had been so shocked by what could legally happen to them—or to anyone—that they were willing to stand up and make a test case of their situation. We grew to trust their decision to go to prison rather than cooperate with grand jury laws that can and do violate basic personal, civil, and legal liberties.

Ellen Grusse and Terry Turgeon are now in Niantic Women's Prison in Connecticut. Five women and one man were imprisoned for four months in Lexington as a result of a similar FBI and grand jury process in Kentucky. Jill Raymond, 20 years old, will remain in the Frankfort County jail in that state for at least another nine months. Women in New Haven and other cities are still receiving visits from the FBI, so that new grand juries—and new imprisonments—may continue to occur.

While most of us will never be forced to make a decision to go to prison for principles we believe in deeply, we must now confront both the courage and the suffering of some of our sisters. As Christian women, our own faith-principles demand that we take a stand with our sisters and witness outside the prison gates to the love for us that is revealed in their resistance to injustice. Their silence demands we speak.

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DATE 4-20-79 BY SP-3 TEK/ML

FOR IMMEDIATE RELEASE

46556 KATHERINE ANN POWER L

Katherine Ann Power, one of the FBI's "Ten Most Wanted Fugitives," is being sought by the FBI for unlawful flight to avoid prosecution for murder, bank robbery, and theft of Government property. L

A former student at Brandeis University, Power allegedly joined three male parolees in the \$26,585 September 23, 1970, robbery of a Boston bank after which a Boston police officer was shot to death by one of the bandits. L

Federal warrants were issued at Boston, charging Power with unlawful interstate flight to avoid prosecution for murder and with theft of Government property and at Philadelphia, Pennsylvania, charging her with the armed robbery of a Philadelphia bank. L

Power and her accomplices reportedly belonged to a small, revolutionary-type organization which advocated violent attacks against established society and contribution of its robbery proceeds to such organizations as the Black Panther Party. L

A white American, Power, born at Denver, Colorado, on January 25, 1941, is 5' tall, weighs from 145 to 150 pounds, has hazel eyes, light brown hair which may be dyed black, a medium complexion, and a stocky build. She has a mole on her left cheek, an appendectomy scar, and a large scar on her abdomen. L

Consider Power armed and very dangerous. L Report any information

concerning her to the nearest FBI office. L

MAIL ROOM ☐ TELETYPE UNIT ☐

FOR IMMEDIATE RELEASE

KATHERINE ANN POWER, also known as
Maureen Sheila Kelly and others

FUGITIVE

INTERSTATE FLIGHT - MURDER; THEFT OF
GOVERNMENT PROPERTY; BANK ROBBERY

"TEN MOST WANTED FUGITIVES" PROGRAM

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46558

Katherine Ann Power, who was placed on the FBI's list
of "Ten Most Wanted Fugitives" following her 1970 rampage of
crime and violence and who was reported to have worked and
resided in Lexington, Kentucky, as recently as October, 1974,
is being sought by the FBI. U

A former student at Brandeis University, Waltham,
Massachusetts, Power is being sought by the FBI for unlawful
interstate flight to avoid prosecution for murder, theft of
Government property, and bank robbery. U 44-411-1

Reportedly espousing the cause of an obscure revolu-
tionary group which advocated attacks on the military establish-
ment and police community, Power allegedly joined forces with
three male parolees from Massachusetts to rob the State Street
Bank and Trust Company, Boston, Massachusetts, on September 23,
1970. Having successfully seized over \$26,000 in loot, the
fleeing band of robbers was confronted by a Boston, Massachu-
setts, police officer, who responded to the crime scene. A

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GPO : 1975 O - 569-920

hail of sub-machinegun fire savagely cut down and killed the officer, ending the encounter. U

On September 24, 1970, a Federal warrant was issued at Boston, Massachusetts, charging Power with unlawful interstate flight to avoid prosecution for murder. Her accomplices in these crimes were subsequently apprehended. U

Additionally, Power was charged in Federal warrants issued at Boston on September 25, 1970, with theft of Government property from a National Guard Armory in Newburyport, Massachusetts. V

Other outstanding warrants issued at Philadelphia, Pennsylvania, on October 1, 1970, charge Power for her alleged participation in the September 1, 1970, robbery of the Bell Federal Savings and Loan Association, Philadelphia, where over \$6,000 in loot was taken at gun point. U

Reportedly using variations of the alias, Maureen Sheila Kelly, Power successfully used her assumed identity to obtain residence and employment in Lexington, Kentucky, until her departure from that area in late September or early October, 1974. Power worked as a telephone receptionist, using Social Security Account Number 003-46-5275 and listing her date of birth as February 8, 1950. U

A white female American who was born in Denver, Colorado, on January 25, 1949, Power is 5' tall, weighs from 145 to 150 pounds, has hazel eyes, light brown hair recently described as

"dirty blonde" and worn short, a medium complexion, and a stocky build. She has a pockmark on her left cheek, an appendectomy scar, and a large scar on her abdomen. Power has been recently described as having lost considerable weight, perhaps as much as 20 pounds. U

Katherine Ann Power should be considered armed and very dangerous. U

Anyone with any information concerning Power should take no action other than to contact the nearest office of the FBI, the telephone number of which may be found on the first page of most local telephone directories. U

(Mount Clipping in Space Below)

Susan Saxe now has

By SHIRLEY ARMSTRONG

Susan Saxe, former Albanian whose murder and bank robbery trial in Boston, Mass., has been tentatively set for next month, now has two attorneys, who filed pre-trial motions late last week, it was learned Tuesday.

The 26-year-old militant feminist is represented by attorneys Nancy Gertner and Thomas Shapiro, both of the Boston firm of Silverglate, Shapiro and Gertner.

Gertner appeared for Saxe at her June 23 arraignment, when the defendant pleaded innocent to first degree murder and two counts of armed

robbery in connection with a \$26,000 holdup of a Boston bank in September, 1970. Patrolman Walter E. Schroeder, responding to the holdup call, was fatally shot.

During her initial appearance in Suffolk County (Mass.) Superior Court, Saxe was represented by Gertner solely for the arraignment. Thereafter, she was without counsel until recently, when the court was notified that Gertner is her attorney of record.

A representative of the law firm confirmed Tuesday that Gertner has returned to the case and said Shapiro is also representing Saxe. The spokesman said pre-trial mo-

tions were filed Friday, but declined to divulge their nature.

First Asst. Dist. Atty John Gaffney was reported ill and unavailable for comment. A member of his staff said any information on motions must be obtained from Gaffney, who is prosecuting the case.

Saxe, held at Worcester County House of Correction, was transferred to Massachusetts after she appeared in federal court in Philadelphia, June 9, to plead guilty to charges stemming from a bank robbery in that city and the bombing of a Newburyport, Mass., armory, both in 1970. She was assured of receiving no more than 10 years

2 attorneys

(Indicate page, name of newspaper, city and state.)

TIMES UNION
ALBANY, N.Y.

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in prison and awaits sentencing for the federal convictions.

Attorneys Catherine G. Roraback of New Haven, Conn., and David Rudovsky of Philadelphia, represented Saxe in the federal court case, but subsequently bowed out of the defense.

There were unofficial reports thereafter that the lesbian community, of which Saxe has proclaimed herself a member, was seeking funds to retain counsel for the defendant, who would otherwise have been given the choice of representing herself during trial or accepting services of a court-appointed lawyer.

Gaffney, considered a talented courtroom prosecutor who has never lost a murder case, has indicated his willingness to push for conviction of Saxe on the first degree murder charge, although he has stated he would be willing to "consider" a plea of guilty to second degree murder. There has, however, been no indication that plea bargaining has taken place or is contemplated.

Date: 8/20/75
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Author:
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Classification: 91-3385
Submitting Office: ALBANY

☐ Being Investigated

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A301

P A
 JULY 8-5
 NIGHT ID

BY RICK VAN SANT
 CINCINNATI (UPI) -- A FEDERAL COURT DECISION HERE TUESDAY IN THE
 CASE OF A 23-YEAR-OLD WOMAN WHO HAS SPENT FIVE MONTHS IN JAIL FOR
 REFUSING TO TESTIFY BEFORE A GRAND JURY RAISED THE POSSIBILITY SHE
 MAY HAVE TO SERVE ANOTHER NINE MONTHS IMPRISONMENT.

THE U.S. SIXTH CIRCUIT COURT OF APPEALS REJECTED JILL RAYMOND'S
 CLAIM THAT A FEDERAL GRAND JURY IN LEXINGTON, KY., WAS ILLEGALLY
 SOLICITING TESTIMONY IN THE CASE OF FUGITIVE KATHERINE ANN POWER AND
 FORMER FUGITIVE SUSAN SAKS.

MISS POWER AND MISS SAKS WERE ON THE FBI'S "10 MOST WANTED" LIST,
 SOUGHT IN CONNECTION WITH A BOSTON BANK ROBBERY AND MURDER OF A
 BOSTON POLICEMAN. MISS SAKS WAS CAPTURED IN PHILADELPHIA EARLIER THIS
 YEAR BUT MISS POWER REMAINS AT LARGE.

THE CONTROVERSY STEMMED FROM REPORTS THAT MISS POWER AND MISS SAKS
 WERE SPOTTED IN THE LEXINGTON AREA LAST YEAR.

MISS RAYMOND, A LEXINGTON NATIVE, WAS JAILED FOR CONTEMPT LAST
 MARCH 3 AND UNLESS SHE TESTIFIES SHE WILL BE HELD IN THE MADISON
 COUNTY JAIL IN RICHMOND, KY. UNTIL THE GRAND JURY FINISHES ITS TERM
 IN APRIL, 1976.

MISS RAYMOND CONTENDED IN HER APPEAL THE GRAND JURY WAS HELPING
 THE FBI GATHER APPREHENSION INFORMATION ON ALREADY-INDICTED PERSONS.

HER ATTORNEY, UNIVERSITY OF KENTUCKY LAW PROFESSOR ROBERT SEDLER,
 ARGUED THAT "IN EFFECT, THE GRAND JURY IS GIVING THE FBI THE
 SUBPOENA POWER THAT CONGRESS HAS REFUSED TO GIVE IT."

BUT THE COURT, IN REJECTING MISS RAYMOND'S APPEAL, DECIDED THE
 "DOMINANT PURPOSE" OF THE GRAND JURY WAS NOT TO APPREHEND THE
 FUGITIVES.

"THE DOMINANT PURPOSE OF SUBPOENING (MISS RAYMOND) WAS TO INQUIRE
 INTO POSSIBLE NEW MATTERS" OF ILLEGAL ACTS IN CONNECTION WITH THE
 POWERS-SAKS CASE, SUCH AS HARBOURING FUGITIVES, THE THREE JUDGE PANEL
 SAID IN A UNANIMOUS DECISION.

"WHILE THE PRESENT LOCATION OF THE FUGITIVES IN QUESTION IS A
 RELEVANT AND NECESSARY SUBJECT OF INQUIRY...THIS FACT DOES NOT
 NECESSITATE A FINDING THAT THE SOLE OR DOMINANT PURPOSE OF THE
 INQUIRY WAS TO APPREHEND THE FUGITIVES," THE APPELLATE COURT RULED.

MISS RAYMOND WAS AMONG SIX YOUNG PERSONS JAILED MARCH 3 FOR
 REFUSING TO TESTIFY BUT THE OTHER FIVE LATER DECIDED TO TESTIFY AND
 WERE FREED.

DUPLICATE TO B-WIRE POINTS
 UPI 08 09:30 PER

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192 JUL 20 1975

WASHINGTON CAPITAL NEWS SERVICE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Cleveland

DATE: August 11, 1975

FROM : C. W. Hurst

SUBJECT: SUSAN EDITH SAXE;
KATHERINE ANN POWER;
TOP TEN FUGITIVE
BANK ROBBERY
UFAP - MURDER
TGP; (GILROB CASE)
OO: BOSTON **U**

- 1 - Mechanical Section
- 1 - Mr. Gallagher
- 1 - Mr. Walsh
- 1 - Mr. Wannall
- 1 - Mr. Cleveland
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It is requested that copies of the attached circular letter, with four copies of subject's photograph appearing thereon, be approved for distribution to 16,000 small independent bakeries in the United States. This distribution will be accomplished through Mailing Services, Inc., Richmond, Virginia, and the cost to the Bureau will be \$640 at a rate of \$40 per thousand circulars plus preparation and mailing cost. **U**

Subject, a Top Ten Fugitive, is being sought in connection with the theft of Government property as well as bank robbery in September, 1970, during which a police officer was shot and killed. She is a former student at Brandeis University, Waltham, Massachusetts, and was last known to have been in the Connecticut area in January, 1975. Her accomplice, Susan Edith Saxe, was apprehended in Philadelphia on March 27, 1975. Investigation has established subject's keen interest and ability in preparing food, especially in the preparation of homemade bread. In view of this, it is believed she could seek employment with some small bakery, and it is felt the expenditure involved is warranted in view of her known interest in baking. **U**

REC-10

EX-110

CONTINUED - OVER

Enc.

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DATE 4-20-79 BY SP3 TER/111

JUN 19 1978

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Memorandum to Mr. Cleveland
Re: Susan Edith Saxe;
Katherine Ann Power

U Upon approval, 16,000 copies of this letter will be forwarded to the Richmond office for delivery to Mailing Services, Inc., Richmond, Virginia. It should be noted that this circular letter has previously received wide distribution throughout the U.S., and the only necessary change will be to update the letter. It should also be noted that Boston, who is office of origin, has previously received copies of this letter. U

RECOMMENDATIONS:

- (1) That the proposed circulation be approved. **U**
- (2) That the Mechanical Section prepare 16,000 copies of the attached circular letter for mailing to the Richmond office. These letters should be folded, franked and sealed. **U**
- (3) That the attached letter to Boston and Richmond advising that a circular is being prepared be approved. **U**

- 2 -

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

April 30, 1975

RE: **KATHERINE ANN POWER**, aka
Maureen Sheila Kelly U

TO WHOM IT MAY CONCERN: U

The FBI is conducting an intensive investigation to locate the above-named individual, who is on the FBI's Ten Most Wanted Fugitive List and is being sought in connection with bank robbery and murder of a police officer. Power was most recently known to be employed in Lexington, Kentucky, where she worked as a telephone receptionist. From Kentucky she reportedly traveled to Connecticut. She has been active in women's liberation movements and has, in the past, generally associated with individuals who have a similar interest. U



Photographs taken 1974

Date photo unknown
prior to 1971

U **Name:** Katherine Ann Power
Birth Data: 1/5/49, Colorado
Height: 5'
Weight: 150 pounds
Build: Heavy
Hair: Light brown, or "dirty blonde,"
may be dyed black

Eyes: Hazel, wears glasses or contact lenses
Scars & Marks: Pockmark on left cheek
Occupations: Cook, waitress, receptionist
Social Security Numbers Used: 003-46-5275
522-74-2089

Identification Order No.: 4402 U

If you have any information concerning this individual, please notify the nearest office of the FBI, the telephone number of which may be found on the first page of your telephone directory.

In view of the crimes for which Power is being sought, she should be considered extremely dangerous and no action should be taken which would endanger anyone's safety. U

Very truly yours,

Clarence M. Kelley
Clarence M. Kelley
Director

ENCLOSURE

98-46611-2487X

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

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SAC, Boston (91-4219)

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Director, FBI (98-46611) - 2416

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GILROB

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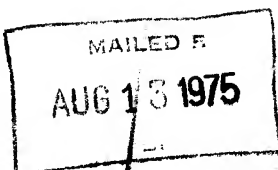
Reurairtel dated 7/28/75. U

The circular letter dated 4/30/75 concerning Katherine Ann Power has been approved at the Bureau for distribution through Mailing Services, Inc., Richmond, Virginia. Upon completion of the updating of this letter, 16,000 copies will be sent to Richmond for delivery to Mailing Services, Inc. U

2 - Richmond (91-3760) (Info)

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(Mount Clipping in Space Below)

Saxe, Power — from honor roll to FBI's 10-most-wanted list

Susan Saxe and Katherine Anne Power were only 21 when Walter Schroeder was shot.

He was 42, twice their age.

Saxe and Power had met at Brandeis University, where they were students.

Schroeder had nine children, aged, when he died, from 16 years to 11 months. He had been on the Boston police force 19 years.

Saxe and Power have been on the FBI's most-wanted list for 4½ years — longer than any fugitives have been on it.

Schroeder was shot in the back outside the Brighton branch of the State Street Bank & Trust Co. and died a day later, Sept. 24, 1970.

Francis Callahan, Schroeder's partner when he went into the bank to answer the holdup alarm, later became a juvenile officer at District 14 in Brighton.

Saxe and Power vanished.

But three men also charged with the holdup, which netted \$26,585, and with the murder of Schroeder were captured within a week.

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The BOSTON HERALD
AMERICAN
BOSTON, MASS.

3 The BOSTON GLOBE
BOSTON, MASS.

Date: 3/28/75
Edition: DAILY
Author: NOT LISTED
Editor: T. WINSHIP
Title: SUSAN SAXE

Character:

or

Classification: 91-

Submitting Office: BOSTON

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They were Stanley Bond, 25, of Cambridge; William Gilday, 41, of Amesbury, and Robert Valeri, 21, of Somerville, all ex-convicts studying at Boston area colleges under special programs.

Bond accidentally blew himself up with a home-made bomb at Walpole state prison in 1973. Gilday is serving a life term at Walpole. Valeri is in prison in Illinois for a holdup committed before the Allston robbery.

The three men and two women were styled by police as "a band of urban guerrillas" dedicated to the cause of fighting the establishment.

According to the FBI, Power drove one of the two getaway cars and Saxe toted a .30 caliber rifle inside the bank. Victims said it was a woman with a carbine who announced, "This is a hold-up."

Several shots were fired at random in the bank when the five employees and 12 customers didn't move fast enough to suit the robbers.

Valeri, testifying later at Gilday's trial, said Gilday was the "outside man" who shot Shroeder when the officer got out of his cruiser and approached the bank. Valeri said Gilday carried a sub-machine gun.

Valeri said the robbery was carried out to help finance a revolutionary war against the established order of society.

He also said that he, Bond, Gilday and the two women staged the raid on the Newburyport Armory to "disrupt the military."

But Valeri said that he himself didn't believe in the cause. He said he was in it for the money.

The day of the Allston holdup, police learned, Power bought a red Volkswagen at a Boston agency, paying cash. She and Saxe drove it to Philadelphia, where it was found abandoned. Then they vanished.

A week earlier, according to investigators, Saxe bought \$500 worth of guns and ammunition at two sporting goods stores in Portland, Ore.

Power, police said, had attended a Black Panther meeting in Philadelphia Sept. 5, four days after the bank holdup in that city.

Power is from Denver, Colo., and Saxe from Albany, N.Y. Both were gently-reared offspring of well-to-do families. They met as students at Brandeis University.

Power had been a prize-winning senior at high school in Denver and wrote several "Voice of Youth" columns for the Denver Post. She was a sociology major at Brandeis, a senior at the time of the Schroeder murder.

Saxe majored in English and American literature at Brandeis and graduated magna cum laude in 1970. She was a transfer student from Syracuse University, where he field was journalism.

Both were considered brilliant students, and both were politically active on campus, though at the time neither believed in violence as a means of achieving progress or improving conditions.

With Bond, they were involved with the National Strike Information Center, set up in 1970 after the US incursion into Cambodia to coordinate student demonstrations at colleges around the country.

After graduating, Saxe stayed on at Brandeis through the summer as a participant in a special institute and also to work at the NSIC.

Power, meanwhile, was involved in a futile attempt to keep the information center alive. It was dying from lack of funds and manpower, and was being evicted by Brandeis.

She and other students filed suit against the university, but their case was dismissed. The next day Saxe left the campus, telling friends she was going to Oregon. She moved into an apartment in Portland Sept. 1.

Power left for San Francisco in mid-September, saying she was going to attend a student conference. She stopped over in Denver during the plane trip to visit her parents.

It was at that time that Saxe, according to police, made a large purchase of guns and ammunition in

Portland. She was said to have been accompanied by a blonde girl. Power's hair, however, is brown.

Saxe's landlady said she saw her leaving her apartment on Sept. 18 carrying a large suitcase and accompanied by a blonde. Power had reportedly been seen the day before at a political meeting at Brandeis.

After the Schroeder murder the trail of the two girls led to Philadelphia and there it ended. They simply dropped out of sight. There was not a single clue to their whereabouts.

At first it was widely believed they had fled abroad, possibly to Algeria. If they had, and believed themselves safe from repatriation, they would surface, authorities thought. But they never did.

A letter, purportedly from both girls, appeared later in an underground newspaper in Washington. It said they were "prepared to continue the struggle for the freedom of all political prisoners in Pig Amerika."

There was much doubt, however, whether Power and Saxe actually wrote the letter. In any case, it did nothing to help solve the mystery of where they were hiding.

It was not until early this year that their trail began to come into view. Saxe and Power, using the names of Lenora Paley and Maureen Kelly, had been in Windsor Locks, Torrington and Hartford, Conn., for periods of 1972, 1973 and 1974, according to police.

They drove a 1965 red Volkswagen, the FBI learned, and worked at various odd jobs, as restaurant cooks and in a nursing home. They rode 10-speed bikes and read the New York Times every day.

They made friends, joined feminist groups, and melted into the life of working girls in the various communities where they took up residence.

A year ago they were reported to have left Hartford abruptly, perhaps because they had seen a newspaper article about them and feared they would be recognized.

They returned to Torrington for about two months, then sold their car and bought one-way bus tickets to Lexington, Ky. They apparently spent four months there last Summer, living near the University of Kentucky campus.

They disappeared suddenly, without any word to acquaintances, in mid-October. That was the last heard of them until Miss Saxe's arrest.

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The 1970 FBI poster.

(Mount Clipping in Space Below)

Susan Saxe seized in downtown Philadelphia

By David S. Richwine
Special to The Globe

Susan Edith Saxe, one of the FBI's 10 most wanted fugitives, who had eluded police for nearly five years, was arrested last night on a busy street corner in downtown Philadelphia.

Miss Saxe, 26, was arrested by a Philadelphia policeman who recognized her from updated photographs and descriptive material distributed yesterday by the FBI.

An unidentified female companion walking with Miss Saxe near 12th and Chestnut streets also was detained, briefly questioned and released.

The whereabouts of Katherine Ann Power, who is believed to have been Miss Saxe's constant com-

panion since they attended Brandeis University, was not immediately known, an FBI spokesman in Washington said.

The women were being sought for their alleged participation in the robbery of the State Street Bank and Trust Co. in Allston on Sept. 23, 1970. During the holdup, Boston Patrolman Walter A. Schroeder was shot and killed.

Last night, according to authorities, Philadelphia Patrolman Joseph Reid was driving alone in his police cruiser on 12th street shortly after 6 when he recognized a woman who fit Miss Saxe's description.

He parked his car and walked over to the two women. They did not resist arrest. He drove them to a Philadelphia police station, where an FBI agent positively identified

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The BOSTON HERALD
AMERICAN
BOSTON, MASS.

1 The BOSTON GLOBE
BOSTON, MASS.

Date: 3/28/75
Edition: DAILY
Author: D S RICHWINE
Editor: T. WINSHIP
Title: SUSAN SAXE

Character:

or

Classification: 91-

Submitting Office: BOSTON

☐ Being Investigated

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one of the women as Miss Saxe from fingerprints.

Last night, police were seeking a US magistrate for her arraignment and extradition to Boston, the FBI said, where she will be tried for the murder of Schroeder.

She was being held in a Philadelphia jail.

James Murphy, public information officer for the FBI in Washington, said Miss Saxe was carrying a New York state driver's license in the name of Ailene A. Hellman of White Plains.

Miss Saxe's father, Eliot Saxe of Albany, N.Y., would not comment on his daughter's arrest when telephoned by The Globe last night. In a calm voice, he said he had learned the news but did not want to pub-



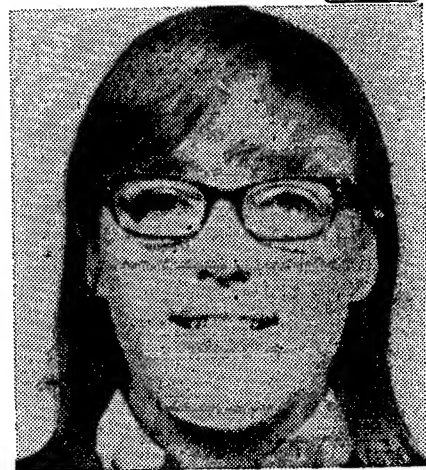
SUSAN EDITH SAXE
... spotted by policeman

licly respond. He also declined comment when asked if he would go to Philadelphia to see his daughter.



WALTER SCHROEDER
... slain in 1970

Boston Police Supt. Joseph Jordan, who headed the city's detective bureau when the Allston robbery



KATHERINE ANN POWER
... whereabouts unknown

occurred, said he was pleased to learn of Miss Saxe's arrest.

SAXE, Page 3

"The people involved in this thing felt that the end justified the means," Jordan said. "They sought change in society through violent means, and we can only be thankful when people like that are apprehended."

Murphy said his bureau "does not know how long she (Saxe) was residing in Philadelphia — we just don't know that."

"We now have to backtrack and try to find out where she was from people she may have known here," he added.

Fresh artist sketches, photographs and biographical material

on Saxe and Power were compiled by the FBI in the last few months. Much of the information was gathered by interviews with persons who claimed to have seen and known the two women during the last five years, Murphy said.

Police are usually shown new FBI material before they begin their shift. Patrolman Reid, who works the night shift, saw the photos and sketches just two hours before he saw Saxe, the FBI said. The Philadelphia Police Department would not reveal details of the arrest, referring all inquiries to the FBI.

The woman with Saxe is a Philadelphia resident.

Saxe and Power eluded Federal and local law enforcement officials apparently by moving often from state to state and living and working under assumed names.

The FBI said in January, after a news article published in The Globe, that the two women lived in Lexington, Ky., from June to October of last year.

More recently, they were believed to have lived in Connecticut. Two New Haven women have refused to answer questions from a grand jury about Saxe and Power, and have been sentenced to jail for contempt.

In Hamden, Conn., US Atty. Peter Dorsey said last night that Miss Saxe's arrest would not affect their case.

The two women, Ellen Grusse, 28, and Marie T. Turgeon, 34, both of New Haven, refused to answer questions about their acquaintance with the two fugitives.

The FBI has said that Saxe and Power lived in Connecticut for brief periods in 1972-74.

Murphy said it was likely that Saxe would be flown to Boston shortly, "because it's generally the trial for the most serious crime first." He referred to the charge of murder filed against her by the Boston Police Department.

Roger Tardie, an FBI agent in Boston, said Miss Saxe is also charged by the FBI with unlawful interstate flight to avoid prosecution in connection with the murder.

In addition, Tardie said, Miss Saxe faces three more Federal charges: armed robbery of the Allston bank, theft of government property from a National Guard armory at Newburyport on Sept. 22, 1970, and the armed robbery of the Bell Federal Savings and Loan Association in Philadelphia on Sept. 1, 1970.

Federal warrants for Saxe and Power were issued in Boston on Sept. 24 and 25, 1970, and in Philadelphia in October, 1970.

Saxe's defense lawyer, David Redovsky of Philadelphia, declined comment to reporters in that city last night.

Although the FBI would not comment on the updated photos, Tardie said they were taken in 1973. He described them as "surveillance photos," but declined to reveal their source.

He said extradition proceedings would be handled "very soon," possibly today. They will be handled jointly by US attorney's offices in Boston and Philadelphia.

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UP-021

(FUGITIVE)

PHILADELPHIA (UPI) -- SUSAN EDITH SAXE IS A ONE-TIME COLLEGE HONORS STUDENT WHO WAS ON THE FBI'S "10 MOST WANTED" LIST FOR A RECORD FIVE YEARS. HER DAYS AS A FUGITIVE ENDED BECAUSE OF POLICEMAN JOSEPH REID'S MEMORY FOR FACES.

MISS SAXE DROPPED OUT OF SIGHT AFTER SHE, KATHERINE POWER AND THREE MEN ALLEGEDLY HELD UP A BOSTON BANK AND SHOT A POLICEMAN TO DEATH IN 1970. THURSDAY NIGHT, REID SAW HER WALKING ALONG A CITY STREET AND RECOGNIZED HER FROM A NEW FBI PHOTOGRAPH AND DESCRIPTION.

HE PULLED OVER AND ASKED FOR IDENTIFICATION. WHEN SHE TRIED TO RUN AWAY, HE SAID, HE ARRESTED HER AND TOOK HER TO JAIL.

MISS SAXE, 26, WAS USING THE NAME "AILENE A. HELLMAN," BUT POLICE SAID THEY IDENTIFIED HER BY FINGERPRINTS. "WE DID NOT KNOW SHE WAS IN THIS AREA," AN FBI SPOKESMAN SAID. "FORTUNATELY, THE OFFICER WAS VERY ALERT."

MISS SAXE, OF ALBANY, N.Y., AND MISS POWER, OF DENVER, COLO., WERE ON THE FBI'S "MOST WANTED" LIST LONGER THAN ANY OTHER WOMEN. MISS POWER IS STILL AT LARGE.

THEY ARE ACCUSED OF HELPING THREE MEN HOLD UP THE STATE STREET BANK AND TRUST CO. IN BOSTON SEPT. 23, 1970, AND SHOOTING TO DEATH A POLICEMAN DURING THE HOLDUP. THE THREE MEN WERE CAUGHT, BUT THE GIRLS ESCAPED.

UPI 03-28 09:21 AED

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WASHINGTON CAPITAL NEWS SERVICE

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1975

(Mount Clipping in Space Below)

Judge Rules On Contempt Against Women

By DAVID L. PERKINS
Staff Reporter

Defense arguments claiming U. S. Atty. William Dow, indicated that, on the basis of recent government admissions of domestic surveillance, intelligence gathering agencies should be summoned to court for a more complete denial of such action in this case.

Meanwhile, a group of about 40 supporters of the women calling themselves People Against Grand Juries, staged a protest of the court action on the steps of the federal building here.

The group condemned the action in a dramatic presentation, saying the women's rights are being violated. There were no incidents during the 30-minute demonstration.

Judge Newman indicated he would announce a decision at 10 a.m. today in the case of Ellen Grusse and Terry Turgeon, who have repeatedly refused to testify before a grand jury investigating the whereabouts of two fugitives sought by the FBI.

Judge Newman's decision to delay proceedings against the women came after a two-hour hearing into the case before an over-capacity crowd in support of Ms. Grusse and Ms. Turgeon.

If Newman finds the city pair in contempt today, they may be jailed for as long as the current grand jury is in session — about 45 days.

The grand jury inquiry here is seeking information on the whereabouts of Katherine Power and Susan Saxe. The pair, both on the FBI's 10 most wanted persons list, is alleged to have participated in the 1970 robbery of a Boston bank in which a policeman was killed and a later theft of government

relationship that could be considered marriage.

Rosen, after a denial by Asst.

U. S. Atty. William Dow, indicated that, on the basis of recent government admissions of domestic surveillance, intelligence gathering agencies should be summoned to court for a more complete denial of such action in this case.

Dow, who briefly took the witness stand to deny knowledge of surveillance, later labelled the defense by Rosen as suspicion, claiming the lawyer had no specifics to back his charges.

Avery, contending the women have a 'community of interests' which should be protected rather than exposed to a possible rupture in the event that one of the women testifies against the other, said the city pair would be married if they could be under law.

"They live together, they are as intimate as possible, they might be married if our antiquated legal system would allow it," Avery said.

The large audience burst into applause at the statement, bringing a warning from Judge Newman who said he would eject the offenders or clear the courtroom if the interruptions continued. There were no other outbursts.

Ms. Turgeon and Ms. Grusse have refused on three occasions to testify to the grand jury — twice after they had been granted immunity for testimony. Immunity prevents persons from invoking Fifth Amendment rights to remain silent and opens the door to contempt charges if silence is maintained.

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HARTFORD TIMES
PAGE 21

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FEDERAL BUREAU OF INVESTIGATION

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REPORTING OFFICE BOSTON	OFFICE OF ORIGIN BOSTON	DATE 7/23/75	INVESTIGATIVE PERIOD 7/18/75
TITLE OF CASE KATHERINE ANN POWER, aka - FUGITIVE; WF 462 - MOST WANTED; SUSAN EDITH SAXE, aka; WILLIAM MORRILL GILDAY, aka; STANLEY RAY BOND, aka - DECEASED; ROBERT JOSEPH VALERI, aka; MICHAEL SAUL FLEISCHER		REPORT MADE BY [REDACTED]	TYPED dw
		CHARACTER OF CASE TGP; DCP; SABOTAGE; ESPIONAGE - X	

REFERENCE: Boston report of SA **[REDACTED]** 1/20/75. ULEADSPHILADELPHIAAT PHILADELPHIA, PENNSYLVANIA

Will report sentencing of SUSAN EDITH SAXE for the TGP violation involved in this case and credit Boston with one conviction. ✓

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ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
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APPROVED [Signature] SPECIAL AGENT IN CHARGE						DO NOT WRITE IN SPACES BELOW	
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BOSTON

AT BOSTON, MASSACHUSETTS

Will follow and report prosecution of KATHERINE ANN POWER and WILLIAM MORRILL GILDAY in USDC if they are ever scheduled for trial. U

ADMINISTRATIVE:

GILDAY and POWER are the last subjects indicted in this TGP matter who have not been tried or otherwise disposed of. In the event they are tried or the indictment dismissed, the evidence obtained in this matter, currently in the custody of the U.S. Marshal, Boston, Mass., should be returned to the Mass. National Guard on approval of the USA. U

This matter is being maintained in a pending inactive status in the Boston Division inasmuch as this case is concerned with the TGP violation at the Newburyport, Mass. National Guard Armory. GILDAY is still awaiting trial on the TGP violation and is doing time for murder and bank robbery. LEADS to locate fugitive POWER are being expeditiously pursued in Boston file 91-4219, GILROB. U

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COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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Report of:
Date: 7/23/75

Office: Boston, Massachusetts

Field Office File #: 52-6450

Bureau File #: 98-46611

Title: KATHERINE ANN POWER, WF 462 - MOST WANTED;
SUSAN EDITH SAXE;
WILLIAM MORRILL GILDAY;
STANLEY RAY BOND - DECEASED;
ROBERT JOSEPH VALERI;
Character: MICHAEL SAUL FLEISCHER

Synopsis: THEFT OF GOVERNMENT PROPERTY; DESTRUCTION OF GOVERNMENT PROPERTY;
SABOTAGE; ESPIONAGE - X

Subject, GILDAY, has not been scheduled for trial in USDC,
Boston, Mass., on the TGP charge. ARMED AND DANGEROUS. U

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DETAILS:

On July 18, 1975, Assistant United States Attorney
(AUSA) EDWARD J. LEE, Boston, Massachusetts, advised that
WILLIAM MORRILL GILDAY has not been scheduled for trial in
United States District Court, Boston, Massachusetts, on the
Theft of Government Property charge. U

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